

No. EL302645894L

Express Mail No. EM406015137US

PATENT APPLICATION  
DOCKET NO. SYP-060

JC945 U.S. 09/75595  
01/04/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marvin L. Vestal

Serial No.: 08/728,405

EXAMINER: A. Soderquist

Application for Reissue of  
U.S. Patent No. 5,498,545

Filed: July 21, 1994

ART UNIT: 1809

Title: MASS SPECTROMETER SYSTEM AND METHOD FOR MATRIX-  
ASSISTED LASER DESORPTION MEASUREMENTS

Assistant Commissioner  
for Patents  
Washington, DC 20231

COPY

REISSUE OATH/DECLARATION OF PROSECUTING ATTORNEY

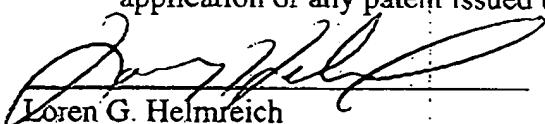
Sir:

I, Loren G. Helmreich, declare that:

- (1) I am a member of the law firm of Browning Bushman, located at 5718 Westheimer, Suite 1800, Houston, Texas 77057. I am registered to practice before the United States Patent and Trademark Office under Registration No. 29,389;
- (2) I represented Vestec Corporation and was the prosecuting attorney for U.S. Patent No. 5,498,545;
- (3) I did not appreciate that the scope of the invention taught by Patent No. 5,498,545 was broad enough to include a system that did not require multiple sample supports;
- (4) I have reviewed this reissue application. All errors being corrected in this reissue application up to the time of filing this oath/declaration arose without any deceptive intention on my part or the part of the application;

- 2 -

(5) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Loren G. Helmreich

Date: 11 March 1998

Address: Browning Bushman  
5718 Westheimer, Suite 1800  
Houston, Texas 77057

Citizenship: U.S.A.

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**No. EL302645 415**

Express Mail No. EM406015137US

PATENT APPLICATION  
DOCKET NO.: SYP-060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marvin L. Vestal

Serial No.: 08/278,405

EXAMINER: A. Soderquist

Application for Reissue of  
U.S. Patent No. 5,498,545

Filed: July 21, 1994

ART UNIT: 1809

Title: MASS SPECTROMETER SYSTEM AND METHOD FOR MATRIX-  
ASSISTED LASER DESORPTION MEASUREMENTS

**COPY**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**REISSUE OATH/DECLARATION OF SOLE INVENTOR**

Sir:

I, Marvin L. Vestal, declare that:

- (1) I am a citizen of the United States of America, residing in Middlesex County, Massachusetts;
- (2) I believe that I am the sole, original and the first inventor of the subject matter which is claimed in the above-referenced application for reissue and for which a patent is sought;
- (3) I believe that the original patent is wholly or partially inoperative by reason of my claiming less than I had the right to claim. Specifically, I claimed less than I had the right to claim because the prosecuting attorney, Loren G. Helmreich, did not appreciate the full scope of my invention;
- (4) All claims of the original patent include either a "plurality of portable sample supports" or the step of supporting samples on "a plurality of sample supports;"
- (5) An error being relied upon as the basis for this reissue application, under 37 C.F.R. §1.175(a)(1), is that my attorney did not appreciate that the scope of my invention was broad enough to include a system that did not require multiple sample supports;

- (6) The claims of this reissue application are broadened;
- (7) I have reviewed and understand the contents of the specification of this reissue, including the new claims referred to in this Oath/Declaration;
- (8) All errors being corrected in this reissue application up to the time of filing of this oath/declaration arose without any deceptive intention on my part;
- (9) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Sole Inventor: Marvin L. Vestal

Date: 3/10/98

Middlesex County, Massachusetts  
Residence/Post Office Address

USA  
Citizenship

281KR7783/47.482877

**EXPRESS MAIL MAILING LABEL**

Express Mail No. E406015137US

No. EL3026344US

**PATENT**

Atty. Docket No. SYP-060RE  
(7783/47)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**REISSUE PATENT APPLICATION FOR:**

APPLICANT(S): Marvin L. Vestal

PATENT NO.: 5,498,545

GROUP NO.:

ISSUED: March 12, 1996

EXAMINER:

TITLE: MASS SPECTROMETER SYSTEM AND METHOD FOR MATRIX-ASSISTED LASER DESORPTION MEASUREMENTS

**COPY**

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

As assignee of record of the entire interest of the above-identified

reissue application

patent

the following attorneys and/or agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Steven M. Bauer	Reg. No. 31,481
Isabelle A.S. Blundell	Reg. No. P-43,321
Michael H. Brodowski	Reg. No. P-41,640
Paula A. Campbell	Reg. No. 32,503
Joseph A. Capraro, Jr.	Reg. No. 36,471
Jerrie L. Chiu	Reg. No. P-41,670
John J. Cotter	Reg. No. 38,116
Gillian M. Fenton	Reg. No. 36,508
Duncan A. Greenhalgh	Reg. No. 38,678
William G. Guerin	Reg. No. 41,047
Ira Heffan	Reg. No. 41,059
Elizabeth E. Kim	Reg. No. 43,334
Douglas J. Kline	Reg. No. 35,574

**Power Of Attorney By Assignee Of Entire Interest (Revocation Of Prior Powers)**

Page 2

John D. Lanza	Reg. No. 40,060
Timothy P. Linkkila	Reg. No. 40,702
Robin R. Longo	Reg. No. 40,071
Thomas C. Meyers	Reg. No. 36,989
Edmund R. Pitcher	Reg. No. 27,829
Kurt Rauschenbach	Reg. No. 40,137
Michelle B. Rosenberg	Reg. No. 40,792
Michael J. Schmelzer	Reg. No. P-43,093
J. Scott Southworth	Reg. No. 39,382
Christopher W. Stamos	Reg. No. 35,370
Diana M. Steel	Reg. No. P-43,153
Robert J. Tosti	Reg. No. 35,393
Thomas A. Turano	Reg. No. 35,722
Michael J. Twomey	Reg. No. 38,349
Christine C. Vito	Reg. No. 39,061
Patrick R.H. Waller	Reg. No. 41,418

Attached as part of this power of attorney is the authorization of the above-named attorneys/agents to accept and follow instructions from my representatives.

Assignee also hereby grants additional Powers of Attorney to the attorneys and/or agents named above to file and prosecute foreign national patent applications in any and all countries of the world, a regional patent application under the European Patent Convention and/or an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states.

Assignee states that the documentary evidence of chain of title has been reviewed and certifies that, to the best of assignee's knowledge and belief, title is in the assignee.

All future correspondence should be sent to:

Patent Administrator  
Testa, Hurwitz & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

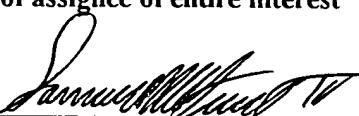
Power Of Attorney By Assignment Of Entire Interest (Revocation Of Prior Powers)  
Page 3

The assignee of record of the entire interest of the above-identified:

reissue application  
 patent

PERSEPTIVE BIOSYSTEMS, INC.

Name of assignee of entire interest

By: 

Samuel P. Hunt III

Title: Vice President and General Counsel

500 Old Connecticut Path

Framingham, Massachusetts 01701

Dated: March 10, 1998

Recorded in PTO (Assignor: Marvin L. Vestal; Assignee: Vestec Corporation) on December 8, 1995  
Reel No. 7731  
Frame No.: 0863; and  
Recorded in PTO (Assignor: Vestec Corporation; Assignee: PerSeptive Biosystems, Inc.) on November 25, 1996  
Reel No. 8251  
Frame No.: 0722

Recorded herewith

281KR7783/47.487189

**EXPRESS MAIL MAILING LABEL**

No. EL302645894US

PATENT APPLICATION  
DOCKET NO.: SYP-060

JC945 U.S. PTO  
09/755951  
01/04/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Marvin L. Vestal

Serial No.: 08/278,405

EXAMINER: A. Soderquist

Application for Reissue of  
U.S. Patent No. 5,498,545

Filed: July 21, 1994

ART UNIT: 1809

Title: MASS SPECTROMETER SYSTEM AND METHOD FOR MATRIX-  
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Assistant Commissioner  
for Patents  
Washington, D.C. 20231

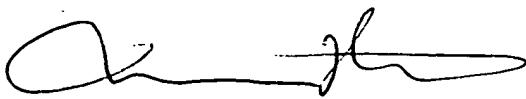
**SUBSTITUTE REISSUE OATH/DECLARATION OF SOLE INVENTOR**

Sir:

I, Marvin L. Vestal, declare that:

- (1) I am a citizen of the United States of America, residing in Middlesex County, Massachusetts;
- (2) I believe that I am the sole, original and the first inventor of the subject matter which is claimed in the above-referenced application for reissue and for which a patent is sought;
- (3) I believe that the original patent is wholly or partially inoperative by reason of my claiming less than I had the right to claim. Specifically, I claimed less than I had the right to claim because the prosecuting attorney, Loren G. Helmreich, did not appreciate the full scope of my invention;
- (4) All claims of the original patent include either a "plurality of portable sample supports" or the step of supporting samples on "a plurality of sample supports;"
- (5) An error being relied upon as the basis for this reissue application, under 37 C.F.R. §1.175(a)(1), is that my attorney did not appreciate that the scope of my invention was broad enough to include a system that did not require multiple sample supports;

- (6) The claims of this reissue application are broadened;
- (7) I have reviewed and understand the contents of the specification of this reissue, including the new claims referred to in this Oath/Declaration;
- (8) All errors being corrected in this reissue application up to the time of filing of this oath/declaration arose without any deceptive intention on my part;
- (9) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



Date: 5/18/00

Sole Inventor: Marvin L. Vestal

Residence: Framingham, Massachusetts  
Post Office Address: 66 Carter Drive, Framingham, Massachusetts 01701  
Citizenship: USA

1000412v1

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Express Mail No. Em4 5015137US

No. EL30264589

JC945 U.S.P.T.O.

T6651  
09/755951



PATENT APPLICATION  
DOCKET NO.: SYP-060

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Marvin L. Vestal

Serial No.: 08/278,405

EXAMINER: A. Soderquist

Application for Reissue of  
U.S. Patent No. 5,498,545

Filed: July 21, 1994

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Title: MASS SPECTROMETER SYSTEM AND METHOD FOR MATRIX-  
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**COPY**

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

37 C.F.R. Rule §3.73 Statement Establishing Right of Assignee to Prosecute

Sir:

I, Samuel P. Hunt III, declare that:

- (1) I am Vice President and General Counsel of PerSeptive Biosystems, Inc., 500 Old Connecticut Path, Framingham, Massachusetts 01701 and am authorized to act on behalf of PerSeptive Biosystems, Inc.;
- (2) PerSeptive Biosystems, Inc. is the owner of the entire right, title and interest in, to and under U.S. Patent No. 5,498,545 by virtue of an Assignment dated July 21, 1994 and recorded at the U.S. Patent and Trademark Office on December 8, 1995 at Reel 7731, Frame 0863 and an Assignment dated November 11, 1996 and recorded at the U.S. Patent and Trademark Office on November 25, 1996 at Reel 8251, Frame 0722;
- (3) I have reviewed the Assignments and, to the best of my knowledge and belief, title of U.S. Patent No. 5,498,545 is in PerSeptive Biosystems, Inc.;
- (4) On behalf of PerSeptive Biosystems, Inc., I consent to the reissue of U.S. Patent U.S. Patent No. 5,498,545;

(5) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
Samuel P. Hunt III  
Vice President and General Counsel  
PerSeptive Biosystems, Inc.  
500 Old Connecticut Path  
Framingham, MA 01701

Date: March 10, 1998

281KR7783/47.482884